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Customer No. 22,852
Attorney Docket No. 3327.2062-01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
Akihiro SUZUKI et al.) Group Art Unit: 2624
)
Application No.: 09/364,070) Examiner: King Y. Poon
)
Filed: July 30, 1999)
)
For: JOB SCHEDULING SYSTEM FOR)
PRINT PROCESSING)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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JUN 13 2003

Technology Center 2600

Sir:

RESPONSE

In a March 13, 2003 Office Action, the Examiner allowed Claims 1-6 and rejected Claims 15 and 16. Claims 15 and 16 were both rejected under 35 U.S.C. §103(a) as being unpatentable over Bain et al., U.S. Patent No. 5,287,434, in view of Lobiondo, U.S. Patent No. 5,287,194.

Regarding the rejection of Claim 15, the Examiner states that all elements of Claim 15 may be found in Bain et al., with the exception that Bain et al. does not teach receiving processing requests from terminals. In order to establish this missing element, the Examiner contends that Lobiondo teaches receiving processing requests from multiple terminals. In order to make a *prima facie* case of obviousness under §103, the Examiner must show that each and every element of the claim may be found

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in the cited prior art. The Applicants respectfully submit that the Examiner has not made a *prima facie* case.

Neither Bain et al. nor Lobiondo, either or alone or in combination, disclose, teach, or suggest "a plurality of queues provided corresponding to states of the jobs." While the Examiner points to a plurality of queues in Bain et al. (Q1-QN, 1), the queues of Bain et al. are not "corresponding to the state of the job." Rather, Bain et al. does not distinguish at all between the queues; the queues of Bain et al. are merely multiple possible destination queues for jobs of any state, wherein the user designates the appropriate queue. This is in contrast, and actually teaches away from, Applicants' claimed invention of "a plurality of queues provided corresponding to states of the jobs." As shown in Applicants' specification, Figure 1 discloses a plurality of queues corresponding to the states of the document, for example: a spool queue 18, a hold queue 19, a wait queue 20, a pause queue 21, and a printer queue 22. Because neither Bain et al. nor Lobiondo, either alone or in combination, disclose, teach, or suggest this claim element, the Examiner has failed to make a *prima facie* showing of obviousness, and the Applicants' respectfully submit that they have traversed the Examiner's rejection of this claim.

The Examiner also rejected Claim 16 under 35 U.S.C. §103(a) as being unpatentable over Bain et al. in view of Lobiondo. Again, the Applicants respectfully submit that the Examiner has not shown each and every element of Claim 16, and thus the Examiner has failed to make a *prima facie* showing of obviousness. For example, once again, neither Bain et al. nor Lobiondo, either alone or in combination, disclose "a plurality of queues provided corresponding to print jobs state." While the Examiner

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points to Bain et al. as disclosing this element, the Applicants respectfully submit that the Examiner is incorrect in his assertion. For the same reasons stated above, Bain et al. does not show a plurality of queues provided corresponding to print jobs states, but rather shows a plurality of queues which are not differentiated from each other by job states. Therefore, Applicants respectfully submit that they have traversed the Examiner's rejection of Claim 16.

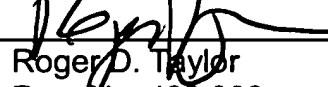
In view of the foregoing remarks, Applicants respectfully request the reconsideration and reexamination of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our Deposit Account No. 06-0916.

Respectfully submitted,

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Dated: June 12, 2003

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